UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/C.12/2000/SR.71
28 November 2000

Original: ENGLISH

COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Twenty-fourth session

SUMMARY RECORD OF THE 71st MEETING

Held at the Palais Wilson, Geneva,
on Wednesday, 22 November 2000, at 3 p.m.

Chairperson: Mr. RIEDEL
(Vice-Chairperson)

CONTENTS

CONSIDERATION OF REPORTS:

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (continued)

Second periodic report of Morocco (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Committee at this session will be consolidated in a single corrigendum to be issued shortly after the end of the session.

GE.00-46282 (E)

The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS:

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (agenda item 6) (continued)

Second periodic report of Morocco (E/1990/6/Add.20; E/C.12/Q/MOR/1; Written replies to the list of issues prepared by the Government of Morocco (document without a reference number); HRI/CORE/1/Add. 23) (continued)

1. At the invitation of the Chairperson, the members of the delegation of Morocco resumed their places at the Committee table.

2. The CHAIRPERSON invited the Moroccan delegation to continue replying to the Committee's questions relating to numbers 1 to 8 of the list of issues (general legal framework and articles 1-3).

3. Mr. DADSI (Morocco) said that while the national plan to integrate women into Moroccan social and economic life had not been implemented in its entirety, that did not mean that a large number of individual measures had not been taken. The plan formed part of a society-wide initiative to allow women full expression in the social, economic, cultural, legal and scientific domains. Such concerns were not new; women had been at the centre of social, economic and cultural policy since before independence, and much of the plan had already been implemented by 1998. Some 90 per cent of the measures enacted addressed purely economic, social and cultural issues. The remainder concerned more complex legal issues relating to Islamic law, such as the Code on Personal Status. The struggle to assert a modern Islamic identity was one which would take time to resolve, since certain traditionalist minorities still clung to outdated dogma. One example of the old ways was polygamy, which occurred in a mere 3 per cent of households, the vast majority of them in rural areas. Elsewhere, urbanization and successive housing crises had led to the virtual demise of the practice.

4. Ms. IDRISSI (Morocco) said that the plan to integrate women in development comprised four main parts: education and school enrolment; reproductive health; employment, training and women's integration into working life; and the strengthening of women's legal capacity. Concerning education, since independence the Moroccan authorities had made great efforts to increase school enrolment rates among children aged over 10, particularly girls. Compulsory education had been introduced in 1963. In recent years, those efforts had been complemented by international cooperation and help from civil society aimed at eliminating illiteracy. A national literacy campaign launched by the late King Hassan II aimed to teach 200,000 people per year to read and write. Despite the comparative lack of success achieved in tackling illiteracy, there had been no let-up in the national effort: recently, King Mohammed VI had urged mosques to become involved in the task.

5. Turning to reproductive health, she said that a body of family planning and health measures aimed at establishing risk-free maternity had been in place since the early 1960s.

Much progress had been made, with greatly increased take-up of contraception in urban areas and improved, though lower, levels of take-up in rural areas. Nevertheless, only 40 per cent of births took place under medical supervision.

6. Concerning the integration of women into economic development, the most significant recent initiative was the 1999 law on small-scale credit, designed to enable individuals, mostly women, to borrow a maximum of 50,000 dirhams in order to start a remunerative activity. The financial independence thus conferred would be a vital element in enabling the hitherto neglected half of the population made up of women to participate in national economic development.

7. The fourth part of the plan related chiefly to the Code on Personal Status, which was based on Islamic law. An inter-ministerial committee had been set up to examine the outstanding issues in depth with a view to working towards a national consensus. Naturally, women's identity was at the heart of that debate. Steady progress was being made; but it was imperative to conduct matters in a calm and cooperative atmosphere, so as to avoid provoking a rift in society. The Prime Minister had requested each ministry to submit details of the contribution it expected to make once the overall plan for integrating women into economic development had been approved.

8. Mr. DADSI (Morocco), replying to questions on women's employment in rural areas, said that such matters were addressed by a wider social development strategy comprising three types of measures. The first category was the so-called "total" assistance which the State provided for the elderly, the severely disabled and children abandoned in the streets. None of those groups were capable of supporting themselves financially, and the assistance provided for them represented both a State duty and an expression of continuing political will on the part of the authorities.

9. The second category comprised the "social protection safety nets" designed to preserve and protect the labour rights of those in employment. Examples of such measures were the recent law extending compulsory sickness benefit coverage beyond its current level of 20 per cent of the working population, including separate measures for civil servants and State employees, mandatory assistance for those unable to afford doctors' fees and medicines, and the introduction of six months' unemployment benefit for workers subjected to sudden lay-offs - a problem that plagued the textile industry in particular.

10. The third set of measures was designed to encourage the integration of the unemployed population of working age into the labour market. Women accounted for 60 per cent of that group. The newest support mechanism available to them was the Social Development Agency, established in 1999 with support from the World Bank and other international and regional donors, complemented by the King Hassan II Fund for Economic and Social Development and the King Mohammed V Foundation.

11. Women's employment was also given high priority in the context of the Economic and Social Reform Programme (PRES) negotiated by the Government with the World Bank and the African Development Bank over a five-month period ending in March 1999. The PRES was unique in that the Bretton Woods institutions had never before negotiated such an agreement at the instigation of the country concerned. Much had been learned from the failure of Morocco's

earlier social adjustment programme, which had been characterized by the imposition of ill-considered measures by the international institutions and by a lack of cooperation on the part of the Moroccan Government.

12. Recent efforts to address the problem of Morocco's long-standing high illiteracy rate had resulted in a reduction in the rate from 54 per cent to 47 per cent of the population since 1998. One of the principal reasons for that improvement was the increased involvement of civil society. The Department of Employment, Vocational Training, Social Development and Solidarity had signed some 92 agreements with associations which worked at the grass roots level to improve functional literacy in the workplace. In addition, partnership agreements had been signed with private-sector employers, particularly in the agriculture and fishing sector where 60 per cent of workers were women.

13. Mr. SADI said that despite the considerable success Morocco had achieved in integrating women into productive life, opposition from religious traditionalists still had to be overcome. Given the scope for enlightened interpretations of Islamic law, that could correspond reasonably closely to the provisions of the Covenant, he asked whether the Moroccan authorities had made efforts to solicit enlightened interpretations from the religious community that would outlaw practices such as polygamy. He also asked whether marital rape was criminalized in Morocco.

14. Mr. WIMER ZAMBRANO asked the delegation to comment on the extent to which family rights were governed by Islamic and civil law respectively. In particular, what was the situation in respect of inheritance?

15. Mr. TEXIER said that information in his possession indicated that the linguistic and cultural rights of the Amazigh community in Morocco were not fully recognized. For example, it seemed that the language did not have official status and that Amazigh given names were not recognized by civil registry offices. He asked the delegation to comment on the situation, which appeared to constitute a potential breach of articles 2, 8 and 15 of the Covenant and of ILO Convention No. 169: Indigenous and Tribal Peoples, 1989.

16. Mr. ANTANOVICH, referring to number 8 of the list of issues, said that the measures taken to improve women's access to stable employment seemed mainly to focus on preparing individuals, psychologically and financially to venture out into a hostile market and seek work. That was only one aspect of the problem: the Committee would like to know what national measures had been taken to encourage actual job creation, particularly in rural areas.

17. Mr. HUNT said he had not received answers to two questions. First, in formulating its structural adjustment programme, had Morocco explicitly taken into account its binding obligations under the Covenant? Secondly, did Morocco draw attention to those binding obligations in the context of its ongoing negotiations with international financial institutions?

18. Mr. BENJELLOUN-TOUIMI (Morocco) said the authorities were involving experts in traditional law in their efforts to reconcile Morocco's laws with the provisions contained in the Universal Declaration of Human Rights and the Covenant. The law on inheritance was based directly on Islamic law, which laid down a very rigid, elaborate and finely calibrated system.

In his personal opinion, the best course would be to set minimum standards and work towards achieving them. Influencing public opinion so as to reach national consensus would require a great deal of educational work. It should be borne in mind that the existing regime had itself once been revolutionary, since in pre-Islamic times women had been inherited as chattels. The traditionalists would need to be drawn into the dialogue if progress was to be made. However, with the large number of working women the equation had changed and, in practice, many families already had a more flexible attitude towards observance of the traditional law.

19. Replying to Mr. Hunt, he said he no longer recalled whether Morocco's international obligations had been raised during the negotiations with the International Monetary Fund (IMF) which had occurred some considerable time previously. However, the need for the country's adjustment programmes to comply with those obligations had been implicit in Morocco's negotiations with the World Bank. He conceded that in its negotiations with the international financial institutions Morocco should insist on the need for programmes to comply with its international obligations, and should not allow itself to be coerced into undertakings that conflicted with those obligations.

20. Mr. DADSI (Morocco), replying to a question from Mr. Antanovich, said that the State had been the principal employer since the country's independence. However, following the implementation of structural adjustment programmes, the negotiations with the World Bank and other financial institutions and widespread liberalization, the State could no longer afford to play that role, particularly as Morocco's wage bill accounted for 11 per cent of gross domestic product (GDP), higher than that of other countries of the region enjoying a comparable level of development. Accordingly, successive Governments had attempted to create a climate propitious to domestic and foreign investment. Such investment meant not only job creation, but also increased production both for the domestic market and for exports. One illustration of Morocco's precarious situation was the fact that 2 million Moroccans were directly or indirectly dependent on the tomato industry. If the European markets were to dry up, those workers and their families would swell the numbers of migrants to Europe, which lay only 14 kilometres to the north. While the State party was doing its utmost to stem the flow of clandestine emigration, the problem of employment was not just a national responsibility, but an international one as well.

21. Although the average unemployment rate stood at between 12 and 13 per cent, it was much higher among new graduates, whose training in recent years had not been in line with market needs. Changing technological and management methods had left 200,000 young graduates without jobs. Arts graduates were particularly unlikely to find work in their field.

22. The CHAIRPERSON invited members to turn to articles 6 to 8 of the Covenant (numbers 9 to 15 of the list of issues).

23. Mrs. JIMÉNEZ BUTRAGUEÑO requested further information on the prospective draft labour code, which, she was pleased to learn, would display greater flexibility and establish compensation for dismissals. She would like more detailed information orally or in written form on the work done on behalf of older people by the King Hassan II Fund. She also asked what specific activities were conducted by the King Mohammed V Foundation.

24. Mr. TEXIER said that Moroccan NGOs had come up with much higher unemployment figures than the 12 to 14 per cent rates mentioned by the delegation. Their figure of 21.8 per cent urban unemployment for 1999 was well in excess of the report's figure of 16.9 per cent for 1997. Did the State party's unemployment statistics take account of the informal economy? What impact was the new economic and social reform programme expected to have on unemployment? How did the authorities plan to mitigate the adverse effects of widespread privatization on the public sector?

25. On article 7, he asked what was the reason for the huge disparity between the monthly guaranteed minimum wage (SMIG) of 1,659 dirhams and the monthly guaranteed minimum agricultural wage (SMAG) of 1,075 dirhams. Secondly, did the purchasing power of the existing minimum wage enable a worker to enjoy the "decent living" provided for in that article? What steps were being taken to reduce the huge income disparities in the country as a whole?

26. He also wished to know why the State party had not ratified ILO Convention No. 87: Freedom of Association and Protection of the Right to Organize, 1948, which was reflected in article 8 of the Covenant; and whether it intended to do so. Regarding restrictions on the rights to strike and to organize, a number of prosecutions had been brought under Article 288 of the Penal Code. Article 8 of the Covenant provided for certain restrictions on those rights. In what circumstances did the State and the courts consider the right to strike to be abused? Was there any specific legal protection against, and judicial supervision of, wrongful dismissal of trade-union delegates? Lastly, what was the situation with regard to the ongoing reform of the Penal Code, which would allegedly accord more powers to employers' delegates than to workers' representatives?

27. Mr. ANTANOVICH, noting that the important question raised in number 14 of the list of issues had been largely ignored in the written replies, asked the delegation to provide data on accidents in the workplace.

28. Mr. GRISSA, endorsing Mr. Antanovich's remarks, said that paragraph 105 of the second periodic report dealt in vague generalizations, whereas the Committee was interested in actual data. What, for instance, had been the results of the 1995 field study referred to in that paragraph?

29. Mr. RATTRAY said he had detected a perceptible shift from public- to private-sector employment as the main engine of growth. Moreover, globalization had brought a new competitive environment that could have a direct impact on certain rights. In that environment, Governments might be tempted to adopt a new approach to the application of the rights set forth in articles 6 to 8, in order to ensure economic survival. In drafting its new labour code, was the Government faced with a dilemma in attempting to reconcile its obligations under the Covenant with the need to meet the requirements of the global environment in order to obtain the resources that could sustain its Covenant obligations? Did that dilemma account for the somewhat protracted period of gestation of the process of consultation on social security issues in which the authorities had been involved?

30. Mr. AHMED cited the Economist Intelligence Unit's report for 2000, which had remarked on Morocco's problem of chronic unemployment, the reduction of which was a top

priority for the newly elected left-wing administration. The rapid growth in the population meant that the estimated 200,000 new jobs created annually would not suffice to absorb the 300,000 young job-seekers entering the labour market each year. Moreover, as the ILO Committee of Experts on the Application of Conventions and Recommendations had pointed out, one third of the active working population was employed in the agricultural sector, which was highly vulnerable to fluctuations in the climate. Had the Government given thought to seeking a rescheduling of its debt, and to ways of attracting more foreign investment as a means of addressing the ever-increasing rate of unemployment? Might it also attempt to stem the population explosion by improving provision of health services?

31. Mr. CEVILLE, referring to article 8, said it appeared that only a small proportion of the economically active population belonged to a trade union. What requirements needed to be fulfilled in order to form a trade union? The low membership rate raised the question of the relationship between the trade unions and the Government and between the unions and employers. Did Morocco have a system similar to the one that existed in many Latin American countries, where employers established trade unions in order to protect their own interests?

32. Mr. PILLAY said his questions referred to article 7 and, by extension, to article 10. Material provided by the Association marocaine des droits humains painted an appalling picture of the working conditions of children, 500,000 of whom worked for more than 10 hours a day. Children as young as four allegedly worked in the textile industry, and apprenticeship conditions were equally dire. An article appended to the NGO report cited a government labour inspector who had deplored the fact that the sanctions imposed on those contravening child labour legislation were too lenient. That legislation clearly needed to be reviewed, since there was also a fundamental contradiction between a law permitting children to work from the age of 12 and legislation nominally making education compulsory up to the age of 16. Did the political will exist to revise the legislation?

33. Mr. BENJELLOUN-TOUIMI (Morocco) said that the authorities were endeavouring to have Morocco's debt converted so as to create a climate for investment. While in a globalized world a cumbersome bureaucracy was no longer viable, Morocco was trying to avoid implementing the sort of draconian redundancy programme that would exacerbate unemployment in the long term. In any event, there was a freeze on civil service recruitment, except where it was necessary to replace retirees.

34. Mr. DADSI (Morocco) said that Morocco had signed debt conversion agreements with France, Italy and, more recently, Spain. He hoped that other countries, including the United States, would take the same route so that Morocco could alleviate its debt burden, which accounted for 32 per cent of its budget. In any event, the country intended to honour its obligations. Other important mechanisms being developed included the self-employment initiative targeted on the 200,000 unemployed young graduates, with a view to helping them set up their own businesses. In addition, in December 1998 the Employment Assizes, chaired by the late King Hassan II and actively involving all sectors of society, had established employment as a national priority.

35. Turning to Mr. Texier's related question about the informal economy, he said that in most Mediterranean States it served as a safety net by providing a livelihood for a large part of

the population. The Government's social integration policy was nevertheless aimed at incorporating the informal sector into the formal economy. Components of that policy included the small-scale loans and self-employment opportunities already mentioned.

36. It was true that the guaranteed minimum wage (SMIG) and guaranteed minimum agricultural wage (SMAG) were relatively low. A tripartite accord between the Government, employers and trade unions had laid down a series of commitments, including a 10 per cent increase in the guaranteed minimum wage. The Government was trying to improve working conditions through legislative, regulatory and institutional measures, but it was currently for the trade unions and the employers to negotiate the minimum wage. The guaranteed minimum agricultural wage had originally been set at a lower level than the guaranteed minimum wage because the cost of housing and food was considered to be lower in rural areas.

37. Mr. BELMAHI (Morocco) said that the legislation governing trade-union activities dated back to 1957 and was extremely liberal - for example, only five people were needed to form a trade union. Strikes had been a frequent phenomenon in the first half of 2000, and labour disputes in that period had cost the economy one billion dirhams.

38. The judiciary was extremely vigilant concerning wrongful dismissal; in the first half of 2000, workers wrongfully dismissed had been awarded over 26 million dirhams in compensation. As part of the social dialogue, the Government was committed to accelerating the implementation of decisions and the procedure for payment of compensation.

39. Article 288 of the Penal Code posed the dilemma of how to strengthen the constitutional right to strike without jeopardizing the freedom to work. The Government was engaged in extensive discussions with trade unions and employers to try to find ways of handling wildcat strikes, which were not covered by the provisions on the right to strike.

40. Ms. IDRISSI (Morocco), replying to the questions on child labour, confirmed that the Labour Code currently in force set the minimum age for employment at 12 years, contradicting the legislation that made schooling compulsory to the age of 13, as well as the Charter on Education and Training, which raised it to 16. However, in 1999 Morocco had ratified ILO Convention No. 138: Minimum Age, 1973 which set the minimum age at 15 years. That Convention would enter into force in January 2001. Morocco had also ratified ILO Convention No. 182: Worst Forms of Child Labour, 1999. There was thus a real political will to achieve the abolition of child labour. Measures taken to attain that goal included a programme of cooperation with ILO, for which France and Belgium were providing funding, to work out a national and sectoral strategy to ensure better protection for children at work and, in the long term, to eradicate child labour. In addition, a number of steps were being taken to raise public awareness in the sectors that employed children.

41. The problem of child labour was linked to that of school drop-outs. Children who dropped out of school could attend vocational training centres once they attained 15 years of age. Under that age, children had access to continuing educational and training measures. Such measures were intended to break the vicious circle of poverty, illiteracy and child labour.

42. Civil society and the media had also become very active in opposing child labour. Legislation and political will were not sufficient to counteract the phenomenon: society as a whole must not tolerate the exploitation of children. Parents must be encouraged not to send their children to work at an unduly young age. With the support of UNICEF and the participation of employers, one NGO had set up a centre in Casablanca to educate young female domestic servants. The centre was already over-subscribed. In Fez that very day, H.R.H. Princess Lalla Meriem was attending the signing of an agreement regulating the education of apprentices.

43. Mr. BENJELLOUN-TOUIMI (Morocco), responding to the question about the King Hassan II Fund and the King Mohammed V Foundation, said that their objectives were economic and social development and solidarity respectively. They used resources liberated through privatization to promote social development.

44. Ms. EL MIDAOUI (Morocco), replying to a question by Mr. Texier, confirmed that Morocco had not ratified ILO Convention No. 87: Freedom of Association and Protection of the Right to Organise, 1948. Amendments had been made to domestic trade union legislation with a view to aligning it with the relevant ILO instruments. On 9 and 10 February 1999, a tripartite colloquium on trade union freedom had been organized in cooperation with ILO in order to draw attention to the principles and procedures established by ILO and to highlight Morocco's legislative and practical experience. Furthermore, at the eighty-sixth International Labour Conference, in June 1998, Morocco had expressed its willingness to ratify all ILO conventions relating to the fundamental rights of workers, by voting in favour of the ILO Declaration on Fundamental Principles and Rights at Work. The Permanent Mission of Morocco had recently informed ILO that the Government was ready to ratify Convention No. 87, with certain reservations regarding categories of persons who could not join trade unions, namely, officials whose functions necessitated the bearing of arms, officials of the Ministry of the Interior, and judges. It had likewise indicated that the relevant legislation required trade union officials to hold Moroccan nationality.

45. Mr. GRISSA said that, under the Covenant, the State was obliged to make primary school education compulsory and available to all free of charge. How could that be reconciled with the fact that in Morocco, it was apparently employers who decided whether children would attend school? Primary schooling was not a matter to be left to private charity. About one in four children of primary school age did not attend school, and many were working. The law in force apparently provided that children could work after reaching 12 years of age, and many working children were much younger. For children to work at the age of 12 was detrimental to their health and future. He was dissatisfied with the answers given by the Moroccan delegation in that regard.

46. Mr. BENJELLOUN-TOUIMI (Morocco) said it was wishful thinking to pretend that any law could be implemented overnight. The Government's objective was the gradual eradication of child labour. What had rather disparagingly been termed "private charity" was merely a pragmatic short-term approach. It was to be hoped that by 2002 no child under the statutory age would be working.

47. Mr. SADI asked whether the child labour problem and the problem of street children were interrelated.

48. Ms. IDRISSI (Morocco) said that working children and street children were very different phenomena. The former were not forced to live and sleep in the streets, as were the latter. In Morocco, as in many countries experiencing rapid urbanization, street children were becoming an increasingly prevalent phenomenon. The relevant governmental department had carried out a major field study on street children, with a view to identifying the causes and developing a national strategy to nip the problem in the bud.

49. Mr. TEXIER asked for an answer to his earlier question on the reform of the Labour Code. Was it true that it would replace trade union representatives by staff representatives and require the convening of a conciliation commission prior to the holding of a strike? What stage had the reform reached?

50. Mr. DADSI (Morocco) said that the draft new labour code was currently before Parliament. Trade union representatives and employers' representatives had clashed over some of its issues, but that impasse was expected soon to be resolved. It was not envisaged to replace trade union representatives by staff representatives.

51. Mr. BENJELLOUN-TOUIMI (Morocco) said that discussions on the reform of the labour code had been going on for many years. Forging a consensus was a time consuming process, but one that would ultimately facilitate the effective implementation of the text.

52. Mr. AHMED cited the 1998 report by the United States Department of State on human rights in Morocco, which referred to "adoptive servitude", a practice whereby families adopted young girls and employed them as domestic servants, usually for little or no pay. The practice was apparently accepted in Moroccan society and was unregulated by the Government. Was the servitude limited in time, or of indefinite duration? What happened if a young girl wanted to return to her family or get married? Were there any guarantees that she would be well treated?

53. Mr. PILLAY said that although the Labour Code provided that the minimum working age was 12, it was common knowledge that some children were made to work from the age of 4. What seemed to be lacking was the political will to eradicate child labour, as illustrated by the lenient penalties imposed for such practices. It was not the first time that the Committee had brought the matter to the attention of the State party. Already in 1994, in its concluding observations on the initial report of Morocco (E/C.12/1994/5, para. 16), the Committee had expressed concern at the discriminatory status of children born out of wedlock; the incidence of child labour, often below the minimum legal working age; the lack of implementation of protective labour legislation with regard to children employed as domestic servants, in agriculture, or in the informal or traditional sectors; and the fact that many children did not fully enjoy their right to education.

54. Mr. BENJELLOUN-TOUIMI (Morocco), replying to Mr. Ahmed's question, said that the existence of abusive adoptive practices could not be denied, though the situation had improved since the submission of the second periodic report. Furthermore, the United States Department of State had occasionally published erroneous information, which it had corrected

once the error had been drawn to its attention. The new labour code would also regulate the question of domestic work, as the existing legislation was silent on the matter. In Morocco, as in other Arab societies, it was the practice for wealthy families to adopt girls, raise them as their own children and groom them for marriage. As society evolved, a practice initially intended as benign had begun to be perceived as exploitative. However, under pressure from the international community, the Government was making efforts to combat the problem and would ensure that the new legislation addressed the matter comprehensively.

55. The CHAIRPERSON invited members of the Committee to put questions to the delegation on articles 9, 10 and 11.

56. Mr. CEVILLE said that although women in Morocco could file for a divorce on the grounds of physical abuse by their husbands, the law required them to produce two witnesses, a requirement that effectively limited the reporting of such cases. Furthermore, in the event that the woman was unable to provide proof of abuse, she was forced to return to the matrimonial home. What provisions existed to protect women in those situations?

57. Mr. TEXIER said that, in view of the fact that some categories of worker did not enjoy the right to social security, that there were no unemployment benefits and that health costs were not fully covered by the State, he would like to know the fate of persons not covered, and whether the Government envisaged introducing a minimum income for the long-term unemployed.

58. Calling for rapid legislative reform on the personal status of women, he asked about the duration of maternity leave and the level of maternity benefits. He also wished to know whether the dismissal of women on grounds of pregnancy was punishable by law. With regard to article 11, he asked what specific measures were taken by the Government to combat the high levels of poverty, whether homelessness posed a problem and, if so, what measures were employed to tackle it.

59. Mr. WIMER ZAMBRANO asked how family issues and rights were regulated for non-Muslims. Was there was a general or a specific code for people of different religions? With regard to the rural exodus into the towns, it would be interesting to know how society at large and academic or intellectual circles had reacted to the consequences, and whether the Government had introduced any measures to combat the problem.

60. Mr. GRISSA asked what was the minimum age of marriage for girls, and for confirmation that it was intended to raise it to 18. He also asked whether girls were forced into marriage against their will.

61. Mr. RATTRAY questioned whether the legal status of children born out of wedlock was in conformity with article 10, paragraph 3, of the Covenant, especially with regard to inheritance rights and the right to take the father's name; and asked whether the State party had considered abolishing the status of illegitimacy.

62. Paragraph 135 of the report conceded that there was a substantial shortfall in housing, in terms of quantity and quality. How many housing units had the Government built since the

submission of the report? There also seemed to be a disparity in quality between rural and urban housing. What steps had been taken to ensure that a minimum housing standard was achieved progressively?

63. Mr. PILLAY said he was surprised at the lack of information provided on homelessness and forced evictions. Surely, in the light of reports received by the Committee concerning the large number of street children, the high levels of poverty, the housing shortfall and the exorbitant rents for existing housing, the State party must be experiencing problems of that nature? Could the delegation provide the Committee with information in that regard?

64. Mr. GRISSA, returning to the issue of illegitimate children, said that medical advances had made it possible to determine the paternity of a child and thereby to resolve legitimacy issues. Were such tests permitted in Morocco?

65. Mrs. JIMÉNEZ BUTRAGUEÑO wondered what happened to the children of single mothers if the father of the mother refused to give the child his name. Following a similar refusal on the part of the child's father to do so, did the child remain without a family name?

66. The CHAIRPERSON, speaking as a member of the Committee, said he would welcome fuller replies to number 22 of the list of issues, especially in respect of malnutrition among disadvantaged groups and measures taken to address the problem. With regard to number 23 of the list of issues concerning measures taken to eradicate parasitic diseases transmitted by unsafe drinking water, the Committee's General Comment No. 12 on the right to adequate food laid down certain preconditions to be met, such as the availability of safe drinking water. What steps were being taken to remedy the situation in the rural areas? Number 24 of the list of issues had called for statistics on the housing shortfall. However, the Committee would appreciate comparative rather than raw statistics, as they would highlight any progress or deficiencies.

67. Mr. BENJELLOUN-TOUIMI (Morocco) said that the issues mentioned were priorities for the Government. However, given the budgetary constraints, the State party could not be expected to solve all the problems overnight. If any Committee recommendations had gone unheeded, it was because other priority issues had occupied its attention. It was to be hoped that by the time the next report came to be submitted, more recommendations would have been taken on board. Some were already being incorporated in the new labour code.

68. It was true that the Government intended to raise the minimum age for marriage from 15 to 18 and that girl minors had to have a legal representative in order to get married. In the past, that person had taken the decision for them, but now girls spoke on their own behalf and the marriage could take place only with their consent. Moreover, the Government had embarked on an awareness-raising campaign on the subject of marriage, using television advertisements. The average age of marriage was 23.5 for women and 26.5 for men.

69. Ms. IDRISSI (Morocco) said that since the entry into force of the Code of Personal Status of 1958, marriage had been consensual, meaning that there had to be free consent on the part of the intending spouses. As far as family law was concerned, non-Muslim foreigners were

subject to the Code of Personal Status except where certain provisions on breastfeeding, polygamy and divorce were concerned. Marriage among Moroccan Jews was subject to Jewish law, which had not yet been codified.

70. Mr. DADSI (Morocco) said that the tripartite agreement between the Government, employers and trade unions included provisions for the promotion of social housing for workers, with special advantages offered by banks as well as the State. However, the bulk of social housing was provided for the most disadvantaged. Nevertheless, years of drought had driven large numbers of the rural population into urban slums. Discussions had been under way for some considerable time about launching an ambitious programme for national and rural development which would involve establishing settlements around new economic poles, so as to avoid the exodus to the big cities. It was hoped that through the policies aimed at ensuring a decent life and basic social services, population movements would be stabilized.

71. With regard to the annual targets for housing construction, property developers had been encouraged to invest in the social housing project through tax incentives such as exemption from value added tax and import duties.

72. Mr. BENJELLOUN-TOUIMI (Morocco) said that the delegation was aware that the provision of comparative statistics was in the State party's best interest. No such figures had been available, but the delegation would attempt to procure them in time for the next meeting.

73. Mr. PILLAY said he would not insist on the provision of statistics, but that he would like to know whether shanty towns were being demolished and whether problems of homelessness and forced evictions existed in the State party.

74. Mr. BENJELLOUN-TOUIMI (Morocco) said that information gleaned from the media should be verified carefully, as it sometimes referred to isolated cases. It was possible that forced evictions took place in large cities such as Casablanca. However, the Committee would be advised not to extrapolate from the situation in the western world: Morocco was a country where family solidarity was still deeply entrenched. Nevertheless, the State party would examine the issue further.

The meeting rose at 6 p.m.